

House Study Bill 108 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON VANDER LINDEN)

A BILL FOR

- 1 An Act concerning the contract bidding process for public
- 2 improvement projects and its application to certain
- 3 government entities.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 26.2, subsection 2, Code 2015, is amended
2 to read as follows:

3 2. "*Governmental entity*" means the state, political
4 subdivisions of the state, public school corporations, and all
5 officers, boards, or commissions empowered by law to enter
6 into contracts for the construction of public improvements,
7 excluding ~~the state board of regents and the state department~~
8 of transportation. "Governmental entity" includes the state
9 board of regents as provided in section 26.4A.

10 Sec. 2. NEW SECTION. 26.4A State board of regents.

11 The state board of regents shall comply with this chapter
12 when advertising for bids and selecting the lowest responsible
13 bidder under section 262.34, subsection 1.

14 Sec. 3. Section 26.7, subsection 2, Code 2015, is amended
15 to read as follows:

16 2. ~~The notice to bidders may provide that bids will be~~
17 ~~received~~ The governmental entity shall notify bidders that the
18 governmental entity will accept bids for the furnishing of all
19 labor and materials and furnishing or installing equipment
20 under one contract, ~~or~~ and shall notify bidders whether the
21 governmental entity will accept optional bids for parts thereof
22 in separate sections.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 Currently, the state board of regents is exempted from Code
27 chapter 26, the Iowa Construction Bidding Procedures Act,
28 through a specific exemption in the Code chapter's definition
29 of "governmental entity". This bill requires the state board
30 of regents to comply with this Code chapter when advertising
31 for bids and selecting the lowest responsible bidder as
32 governed by Code section 262.34, subsection 1.

33 The bill requires governmental entities seeking to contract
34 for a public improvement project to notify bidders that bids
35 covering all labor and materials related to the project will

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1 be accepted, but also authorizes government entities to allow
2 bidders to submit separate bids for separate portions of the
3 project.